

### REMARKS/ARGUMENTS

Claim 1-34 are pending. Claims 3, 6, 9, 11-12, 23, 26, 29, and 31-32 have been allowed. In light of the following remarks, Applicant believes all the pending claims are in condition for allowance.

#### Formal Matters

The Office Action stated that the Amendment filed November 18, 2002 replaced the claim to the provisional application and replaced it with citation to a related application. In reviewing the Amendment, the changes are directed to page 1, line 13, which is the citation to the related application. As shown in the appendix, Applicant was merely adding the issued patent number of the related application. Applicant believes that the claim to the provisional application has not been deleted and that the changes were proper.

#### The 102(e) Rejection of Claims 1-2, 13-16, 22, and 33-34

Claims 1-2, 13-16, 22, and 33-34 were rejected under 35 USC 102(e) as allegedly being anticipated by U.S. Patent No. 6,097,388, issued August 1, 2000 to Goodfellow. Accordingly it is being asserted that Goodfellow discloses all the features of these claims. For the following reasons, Applicant respectfully traverses the rejection.

Goodfellow has not been shown to compare two sets of windows to identify a new window as claimed. For example, claim 1 recites the following:

comparing the first set of windows to the second set of windows to identify a new window in the second set;

Goodfellow does not compare the old display map and the new display map to identify a new window. Instead, when a new window is generated, Goodfellow teaches that a new window

descriptor structure 42 is created and the new window is inserted in a linked list of windows (col. 6, lines 45-50). In other words, once a new window is generated, Goodfellow teaches modifying data structures to account for the new window. Thus, the display maps are not utilized to identify a new window as asserted.

Instead, the display maps in Goodfellow are utilized to identify picture elements that have changed. The various data structures are utilized to update the new display map (see FIGS. 8a-8d). The old and new display maps are then compared to identify picture elements whose topmost window has changed (see col. 2, lines 37-42 and FIGS. 10a-10b). Goodfellow describes that identifying the picture elements that have changed can result in a more efficient update of the raster display. However, the comparison of the display maps is not for the purpose of identifying a new window as claimed, but instead for identifying picture elements that have changed and should be redrawn.

The latest Office Action asserts that "Goodfellow discloses that the first map and second map are compared in order to identify how the display has changed as a results of the operation, and thus to determine the newly added window" (citing col. 2, lines 37-42). A closer review of Goodfellow reveals that this is not the case.

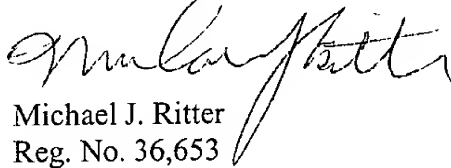
Goodfellow discloses that a newly added window is given a "depth" value in the window descriptor structure (col. 6, lines 51-64). As described therein, the newly added window can be the bottommost window. As the bottommost window, the window may be totally obscured meaning that none of the picture elements have changed and need to be redrawn. In other words, Goodfellow discloses identifying picture elements that have changed, but this does not necessarily identify a new window. In fact, the new window is "identified" in Goodfellow when a new window descriptor structure 42 is created and inserted into the linked list of windows (see, e.g., col 6, lines 36-50). Accordingly, Goodfellow has not been shown to disclose all the features of claim 1.

As the reference has not been shown to disclose all the features of the claim 1, a prima facie case of anticipation has not been established. Accordingly, claims 1-2, 13-16, 22, and 33-34 should be passed to issue.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8693.

Respectfully submitted,

  
Michael J. Ritter  
Reg. No. 36,653

RITTER, LANG & KAPLAN LLP  
12930 Saratoga Ave., Suite D1  
Saratoga, CA 95070  
Tel: 408-446-8690  
Fax: 408-446-8691